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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:08-cr-00064-JCM-GWF

Plaintiff,

v.

ORDER

STEVEN GRIMM, et al.,

Defendants.

This matter is before the Court on Alina M. Shell, Esq.'s Motion to Withdraw as Counsel for Defendant (ECF No. 723) filed on December 26, 2018.

Counsel brings the instant motion on behalf of McLetchie Shell LLC, requesting the Court grant their request to withdraw as attorneys of record for Defendant Grimm. Counsel represents that the firm has dissolved and that withdrawal as counsel of record will not adversely affect Defendant. Counsel further represents that she has informed both Defendant and counsel for the Government of her intent to withdraw. *Id.* However, on July 5, 2017 the Ninth Circuit issued a memorandum order that, in relevant part, reversed the orders of forfeiture as to Defendant. ECF No. 680. Pursuant to this Court's order, the Government is currently preparing briefing to address whether the forfeiture order violated the Eighth Amendment's prohibition against excessive fines and whether the forfeiture order comports with the United States Supreme Court's opinion in *Honeycutt v. United States*, 137 S.Ct. 1626 (2017). ECF No. 696. In light of the above, the Court finds that counsel has provided good cause to justify withdrawal. The Court grants counsel's request and new counsel shall be appointed.

IT IS HEREBY ORDERED that Alina M. Shell, Esq.'s Motion to Withdraw as Counsel for Defendant (ECF No. 723), is **granted**.

1 **IT IS FURTHER ORDERED** that this matter is referred to the Criminal Justice Act
2 Panel for appointment of counsel.

3 **IT IS FURTHER ORDERED** that appointed counsel shall enter an appearance by
4 **February 8, 2019.**

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6 Dated this 11th day of January, 2019.

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10 GEORGE FOLEY, JR.
11 UNITED STATES MAGISTRATE JUDGE
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